

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEBRA JOHNSON,

Plaintiff,

v.

Case No. 15-13004

Honorable Laurie J. Michelson

Magistrate Judge David R. Grand

RITE-AID CORPORATION,

Defendant.

**ORDER DENYING PLAINTIFF'S FIRST MOTION FOR MANDATORY JUDICIAL
NOTICE AND CONCURRENT SECOND REQUEST FOR JUDICIAL NOTICE [28]**

Before the Court is plaintiff Debra Johnson's ("Johnson") "First Motion for Mandatory Judicial Notice and Concurrent Second Request for Judicial Notice." [28]. It is difficult to understand the purpose of this motion, but in short, Johnson purports to invoke Fed. R. Evid. 201 as a basis for the Court to take judicial notice of several documents that have been filed on the docket, including defendant's counsel's notice and amended notice of appearance, along with citations to a number of federal and state cases. [*Id.* at 2, 4-5].

The Court previously denied a similar motion in this case where Johnson requested that the Court take judicial notice of some of her other filings, explaining that "[p]laintiff's requests are beyond the scope of [Rule 201]." [22 at 2]. The same reasoning applies here, and Johnson's instant motion will be similarly denied "without prejudice to [Johnson's] ability to proffer those facts and documents as she may deem [relevant] as evidence in support of or in opposition to a subsequent dispositive motion or at trial." [*Id.* (quoting *Biernacki v. United States*, No. 11-973, 2012 WL 6100291, at *3 (W.D.N.Y. Dec. 7, 2012))]. Accordingly,

IT IS ORDERED that Johnson's "First Motion for Mandatory Judicial Notice and

Concurrent Second Request for Judicial Notice” [28] is **DENIED**.

Dated: December 23, 2015
Ann Arbor, Michigan

s/David R. Grand
DAVID R. GRAND
United States Magistrate Judge

NOTICE TO THE PARTIES REGARDING OBJECTIONS

The parties’ attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under 28 U.S.C. § 636(b)(1).

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court’s ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on December 23, 2015.

s/William Barkholz for Eddrey O. Butts
EDDREY O. BUTTS
Case Manager